

SECTION II

PART E POLICY FOR PARTICIPATING PRIVATE INSTITUTIONAL REPORTING ON COLLEGE OPPORTUNITY FUND STUDENT STIPEND ENROLLMENT, EFFECTIVE JULY 1, 2005

1.00 Introduction

This policy applies to all participating private institutions of higher education, as defined in C.R.S. 23-18-102 (9).

This version of the Policy for Participating Private Institutional Reporting on Colorado Opportunity Fund (COF) Student Stipend Enrollment, hereafter called the “COF Private Stipend Policy” is effective July 1, 2005.

The Commission recognizes that the COF Private Stipend Policy may not address every possible circumstance. Institutions shall request an interpretation from the Commission when encountering a circumstance that the policy does not explicitly address. The Commission will provide the requested interpretation in writing within a reasonable time period.

2.00 Statutory Authority

A student of a private institution of higher education shall be a beneficiary of the college opportunity fund provided the eligible private institution of higher education the student attends has established a performance contract with the department pursuant to section 23-5-129 and the participating private institution participates in the department’s Student Unit Record Data System (SURDS), paying the established expenses associated with the inclusion of the institution in the SURDS system. (C.R.S. 23-18-201(2))

The Commission, in cooperation with participating private institutions of higher education, has the responsibility to maintain a record of the number of credit hours of each eligible undergraduate student participating in the program and to report back to the institutions on the number of credit hours accumulated by each eligible undergraduate student against the number of lifetime-credit-hour limitations. (C.R.S. 23-18-203)

The Commission must annually make recommendations to the governor and the joint budget committee of the General Assembly regarding any adjustment to the amount appropriated to the Colorado student loan program for the stipends to reflect at least inflation and enrollment growth in the state institutions of higher education. (C.R.S. 23-18-202(2)(a)(c)(d))

3.00 Goals, Principles, Roles and Responsibilities

To bring awareness to Colorado resident students that state funds exist to help finance their college education and ensure that the per-credit hour stipend shall be the same for each eligible undergraduate student.

To increase access to higher education for students of Colorado who have financial need and choose to attend an eligible, participating private institution of higher education.

To improve the quality of higher education in the state of Colorado including the success of students and efficiency of operations for students with qualifying financial need.

4.00 College Opportunity Fund Stipend Payments

4.01 Stipend Allocation

An eligible undergraduate student who attends a participating private institution of higher education may receive financial assistance that is fifty percent of the stipend amount paid to an eligible undergraduate student attending state institution of higher education.

The payment amount may increase in proportion to the percent of unfunded enrollment growth that is appropriated to the governing boards pursuant to section 23-5-129 (8). (C.R.S. 23-18-202 (2) (e))

A stipend constitutes a state grant and is counted in the Financial Aid resources for eligible students attending a participating private institution that are receiving state funds under the COF program.

4.02 Student Eligibility Parameters

Students who meet the following qualifications may receive a stipend from the College Opportunity Fund if they are “enrolled at a participating private institution of higher education and ... classified as an in-state student for tuition purposes” (C.R.S. 23-18-102 (5) (a) (II) (A)); “is a graduate of a Colorado high school or has successfully completed a nonpublic home-based educational program as provided in section 22-33-104.5, C.R.S.”, including have requested that a payment from the College Opportunity Fund is made on their behalf to the institution(s) they are attending (C.R.S. 23-18-201 (1)); “Demonstrate financial need through the student’s eligibility for the Federal Pell program or its successor program” (C.R.S. 23-18-102 (5) (a) (II) (C)), are receiving undergraduate instruction and have not exceeded their lifetime-credit-hour limitation (145 credit hours) or have already completed their

baccalaureate degree and are eligible to receive stipend payments for an additional thirty undergraduate credit hours” (C.R.S. 23-18-202 (5) (c) (I)).

Participating private institutions of higher education may choose to accept the GED test as equivalency for the high school diploma, basing its cut scores on Commission policy.

Students who are receiving undergraduate instruction that exceeds their lifetime-credit-hour limitation (145 credit hours) after being granted a one-year waiver are also eligible as are eligible undergraduate students attending participating private institutions of higher education taking graduate level courses.

A student attending a participating private institution is an Eligible Undergraduate Student if s/he demonstrates financial need by meeting the income qualifications for Pell Eligibility. A student who has received a bachelor’s degree may still receive stipend payments for the additional 30 credit hours available under 23-18-202(5)(c)(1), by demonstrating that s/he continues to meet the income qualifications for Pell Eligibility.

Colorado law requires state agencies and institutions of higher education to verify the lawful presence in the United States of all persons 18 years of age or older for receipt of public benefits, such as financial aid, by requiring the applicant to produce one of the following forms of identification:

- (1) Valid Colorado Driver’s License or a Colorado Identification Card
- (2) U.S. Military Card or a Military Dependent’s Identification Card
- (3) U.S. Coast Guard Merchant Mariner Card
- (4) Native American Tribal Document
- (5) An alternative form of identification as listed in the Department of Revenue’s Rules for Evidence of Lawful Presence, 1 CCR 201-17.

An applicant also must execute an affidavit stating that he or she is a U.S. citizen or legal permanent resident; or that he or she is otherwise lawfully present in the U.S. pursuant to federal law. (C.R.S. §24-76.5-103(4)).

All students over the age of 18 years will be required to produce one of the forms of identification set forth in C.R.S. §24-76.5-103(4) and complete the affidavit regarding lawful presence either on-line or by paper application. After August 1, 2006, students under the age of 18 years may apply for and receive the COF stipend but they will be required to meet the requirements of C.R.S. §24-76.5-103(4) when they reach the age of 18 years in order to continue to receive the COF stipend benefit. Students under the age of 18 years may provide information required by C.R.S. §24-76.5-103(4) and be verified at the time of application.

Each applicant for the COF stipend shall be verified by the Colorado Student Loan Program (CSLP) in accordance with C.R.S. §24-76.5-103(4). CCHE and CSLP shall establish official guidelines for the verification process and standards and shall notify applicants who do not pass the verification process. Applicants who are successfully verified as lawfully present in the United States through the COF Stipend process shall be eligible for all public benefits provided by the Department of Higher Education and the state institutions of higher education.

All applicants for state-funded financial aid must meet the identification requirements of C.R.S. §24-76.5-103(4) or the Department of Revenue's Rules for Evidence of Lawful Presence, 1 CCR 201-17, which are effective as of August 1, 2007. Institutions must satisfy the verification requirements of C.R.S. §24-76.5-103(4) in a manner consistent with statutory requirements, Attorney General Guidance and CCHE policy. CCHE shall audit institutions to ensure compliance.

Applicants for the COF stipend may also meet the requirements of C.R.S. §24-76.5-103(4) through any waivers granted by the Department of Revenue as provided for in the Department of Revenue's Rules for Evidence of Lawful Presence, 1 CCR 201-17, which are effective as of August 1, 2007.

4.03 Course Eligibility

Certain course enrollments are not eligible for stipend payments regardless of student COF-eligibility. Course enrollments that are generated by out-of-state students as defined in state statute (C.R.S. 23-7) are not eligible for stipend payment.

"Off-campus, extended campus, or continuing education" courses are not eligible for payment from COF stipends nor are enrollments for which students are not charged full tuition, e.g., tuition waivers.

Course sections where enrollment is closed to the general public, the curriculum is customized for an employer, or the course is funded by customized job training dollars are not eligible for student stipend payments.

Transcribed credits that are not directly attributed to college instruction are not eligible for the COF stipend payments. Basic skills courses as defined in C.R.S. 23-1-113(b)(II)(A.7), and courses taken while dually enrolled in high school are not eligible for stipend course credit. Non-credit courses are not eligible for COF stipend payments.

Course credit hours that are eligible for student stipend payments are those that are earned by Colorado residents for tuition classification purposes as

defined in C.R.S. 23-7-101 to 23-7-109, that are congruent with an institution's statutory role and mission and are offered within an institution's geographic boundaries including credit hours earned from any Internet course or interactive television course delivered by a Colorado participating private institution of higher education.

Institutions may receive COF stipend payments generated by students receiving institutional scholarships granted to a special group of students such as employees or employees' dependents if the eligible employee must pay the tuition and fees when registering for the course and there must be a published application process under which recipients qualify. Employees or dependents receiving institutional scholarships must be reported on the Student Unit Record Data System Financial Aid File. No state-appropriated financial aid funds may be used to fund institutional employee/dependent restricted scholarships.

4.04 Waivers

An eligible undergraduate student attending a participating private institution may apply to the Commission for a waiver of the lifetime-credit-hour limitation (C.R.S. 23-18-202 (5) (e)). The Commission may grant such a waiver if a student has "extenuating circumstances that exist related to his/her health or physical ability to complete the degree program within the lifetime-credit-hour limit; or that requiring the eligible undergraduate student to pay the full amount of tuition for credit hours, without the benefit of the stipend, that exceeded the limitation would cause substantial economic hardship on the student and the student's family."

In order for a student to receive a Commission waiver from the lifetime credit hour limitation, he/she must first submit a written application to the Commission.

A student may apply once to the Commission for a waiver, unless extenuating circumstances occur after the waiver is denied which significantly affect the student's need and/or eligibility for the waiver. The decision by the Commission to grant or deny the waiver shall be final. The Commission will grant or deny the waiver and notify the student within 30 days of receipt of the waiver application. The Commission shall also notify the student's institution and the College Access Network division of its decision to grant or deny the waiver. If granted, the waiver shall only be valid for courses needed in order to complete the requirements for the degree program in which the student is enrolled at the time he/she applied for the waiver.

A participating private institution must notify students of the availability of lifetime credit hour limitation waivers from the Commission.

